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U.S. SENATE COMMITTEE ON VETERANS' AFFAIRS,
"IMPROVEMENTS TO THE POST-9/11 GI BILL"

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TESTIMONY OF TIM EMBREE
IAVA LEGISLATIVE ASSOCIATE

Mr. Chairman, Ranking Member, and members of the committee: on behalf of Iraq and Afghanistan Veterans of America's nearly two hundred thousand members and supporters, thank you for allowing us to testify at this critical hearing on "Improvements to the Post-9/11 GI Bill." My name is Tim Embree. I am from St. Louis, MO and I served two tours in Iraq with the United States Marine Corps Reserves. As a new veteran eligible for the historic Post-9/11 GI Bill, I am personally grateful to you for holding this hearing. As a representative of IAVA, I also extend the gratitude of tens of thousands of our members who can now afford to attend school, and become the "Next Greatest Generation," thanks to the new benefit.

The Post-9/11 GI Bill, or "New GI Bill," will be remembered as one of the shrewdest investments in our country's veterans for generations to come if we act now and finish the work this committee began two years ago.

Iraq and Afghanistan Veterans of America (IAVA) is encouraged by the Chairman's discussion draft of S. 3447, the "Post-9/11 Veterans Educational Assistance Improvement Act." This discussion draft of S. 3447 will improve the New GI Bill and ensure that all student veterans have access to the most generous investment in veterans' education since World War II. By simplifying and streamlining the administrative rules, S. 3447 would enable the Department of Veteran Affairs (VA) to process GI Bill claims in a timely manner. S. 3447, which we have come to call the "New GI Bill 2.0," is a comprehensive effort to address the concerns of tens of thousands of student veterans and their families by:

- Offering valuable job training for students studying at vocational schools
- Granting National Guardsmen who respond to national disasters full GI Bill credit
- Providing living allowances for veterans in distance learning programs
- Simplifying and expanding the tuition benefit
- Including a book stipend for active duty students

IAVA is proud to endorse this legislation, contingent upon the following improvements being included in the bill. We therefore have included several simple and important technical recommendations we would like to see addressed in the August mark-up.

History has shown us that veteran education and employment must consistently be at the forefront of the national dialogue. The Senate Veterans' Affairs Committee continues to show our veterans, servicemembers and their families that they are dedicated to the future of the men and women who have worn our country's uniform. IAVA applauds this committee for discussing S. 3447 (New GI Bill 2.0), S. 2769 (the Post-9/11 Veterans' Job Training Act of 2009), S. 3082 (Authorize work-study for outreach services provided through congressional offices), and S.3171

(The Veterans Training Act) today. We hope today's hearing signals to both the Senate and House that there is vital work still to be done for veterans and their families before the end of this Congress.

I. S.3447: The Post-9/11 Veterans Educational Assistance Improvement Act of 2010

A. Invaluable Professional Job Training

S.3447 will help veterans access valuable job training by granting Post-9/11 GI Bill benefits to veterans in vocational, apprenticeship and On-The-Job training (OJT) programs. IAVA member Charles Conrad returned home from war to face a bleak economy. He had finished two tours, was released from his stop-loss orders and was ready to begin the next chapter of his young life. Charles moved to Pittsburgh and enrolled in the Pennsylvania Gunsmith School, a well-known vocational school founded in 1949. Charles, like countless other veterans, assumed that by combining his military experience with a vocational certificate, he would make himself marketable in today's rough job scene. Unfortunately, Charles was let down by the New GI Bill. Currently, the Post-9/11 GI Bill does not pay for trade schools -- and now Charles is left struggling to pay down piles of bills.

I was depending on the housing allowance and without it I can't even afford the school... It's a slap in the face to me that I can't use the Post-9/11 GI Bill... It's like saying a trade school isn't good enough for the new GI Bill, but it is for the old GI Bill. Is there any way that trade schools will ever be allowed under the new GI Bill?

Most people don't realize that a majority of WWII veterans used their GI Bill benefits to attend vocational schools. Although there are a limited number of vocational programs at the local community colleges currently authorized, allowing veterans to enroll in the vocational program of their choice would enable all of our war-fighters to use their hard-earned New GI Bill benefit.

IAVA Technical Recommendations: S. 3447 should include a book stipend for all vocational students. Many technical schools require students to purchase training manuals and specialized equipment for their highly technical training courses. Also, vocational students attending public technical schools should have their entire tuitions covered at the same rates as public college students. Lastly, the On the Job Training (OJT) and Apprenticeship section needs to be clarified. IAVA does not believe that the monthly living allowances should be based on national tuition rates. We recommend the following simplified pay chart for OJT and Apprenticeship students.

Apprenticeship & OJT S.3447 Proposed Monthly Allowances S.3447 New GI Bill Rates Old GI Bill Rates (MGIB)

First 6 months	100%	(Nat'l Avg BAH)	\$1333/month	\$1026/month
Second 6 months	80%	(Nat'l Avg BAH)	\$1070/month	\$752/month
Third 6 months	60%	(Nat'l Avg BAH)	\$802/month	\$478/month
Fourth 6 months	40%	(Nat'l Avg BAH)	\$535/month	\$478/month
Apprenticeship Only				
Additional 6 months	20%	(Nat'l Avg BAH)	\$267/month	None

B. Full Credit for Full Time Served

S.3447 will help National Guard servicemembers by granting full GI Bill credit for full-time service. The New GI Bill 2.0 classifies state activations for national disasters (e.g., Hurricane Katrina and the BP oil spill) and full-time Title 32 Active Guard Reserve (AGR) service as qualifying service. This correction will help almost 30,000 Army National Guard and 13,500 Air National Guard servicemembers serving on Title 32 or “state” orders. This vital improvement will also ensure that the thousands of National Guard troops from Louisiana, Alabama, Florida, and Mississippi who are currently protecting our coastline from the oil spewing in the Gulf will receive credit towards their Post-9/11 GI Bill benefit.

IAVA member Sergeant First Class (SFC) Bradford Mingle has been wearing our country’s uniform every day for the past 19 years, including during a recent tour in Afghanistan. SFC Mingle is part of the Active Guard and Reserve program (AGR), which means he works full-time for the National Guard. Imagine SFC Mingle’s surprise and anger when he applied for the New GI Bill, only to have the VA tell him he hadn’t served long enough to qualify for the full benefits.

I am an AGR soldier with 19 years active duty but I'm not qualified to get what an Active Army Soldier gets? Is our service not worth as much? Why are AGR Soldiers always left out?

According to the current law, only one of SFC Mingle’s 19 years of active duty service actually counted toward his GI Bill eligibility. Yet a full-time reservist doing the same job as SFC Mingle would qualify for the full GI Bill simply because his or her checks were paid for by the federal government, rather than the state government. Same uniform, same service -- vastly different benefits.

IAVA Technical Recommendations: This committee must fix the wording in §2 of S.3447 that requires full-time Title 32 Reservists to be both AGR “and” a state call-up in order to qualify for New GI Bill credit. A simple word change from “and” to “or” will end the confusion. Also, all activations under Title 32 § 502(f) should be included -- not just responses to “national emergencies.” Thousands of reservists continue to protect our country by fulfilling vital homeland security missions, and they must receive their New GI Bill benefit.

C. Fairness for Disabled Veterans Utilizing Distance Learning

Many disabled veterans and single mothers are attending online courses to achieve their dream of a college degree. But, under the current rules, even if they are taking a full course load, they do not qualify to receive the New GI Bill’s substantial monthly living allowance. If these veterans were able to take just one course at a local college, they would qualify for the full living allowance. Yet enrolling in a course at a brick-and-mortar institution is nearly impossible for a single mother simultaneously struggling to keep food on the table, for example, or for a disabled veteran who cannot navigate a flight of stairs without assistance. A living allowance for students of online institutions would stop many veterans from having to choose between keeping a roof over a family’s head and concentrating on being a successful student. The allowance would enable them to provide for their families while increasing their future earning potential through education. The New GI Bill was supposed to encourage student veterans to focus on their education and not their financial situation -- but without the New GI Bill 2.0 upgrade, student veterans pursuing degrees through distance learning are left out in the cold.

IAVA member Specialist (SPC) Weaver was awarded a bronze star for his meritorious service during two tours in Iraq. He is currently at home recovering from the fractured spine he sustained after being ejected from a moving vehicle. SPC Weaver suffers from vertigo, hearing problems and loss of mobility. Despite his injuries, SPC Weaver still dreams of completing his education and has been looking to attend college online, where he can complete his degree at his own pace. In spite of his service, SPC Jeffrey Weaver cannot benefit from the New GI Bill in its current form.

This seems quite absurd as it is fact that many service disabled veterans are undergoing treatments and have special needs. Although I am not totally disabled, because of my current conditions, it would be nearly impossible to collect on the Post-9/11 GI Bill entitlements. This seems to be an issue we need to raise to Congress.

IAVA Technical Recommendations: A student veteran pursuing a degree through a distance program should qualify for a living allowance based on the zip code of his or her residence. Or, at the very least, the living allowance should be set at the lowest Basic Allowance for Housing (BAH) rate for an E-5 pay grade, with dependents. This adjustment would be an increase of about \$140 over the currently purposed rate.

D. Simplify the Yellow Ribbon Program

New GI Bill 2.0 simplifies the tuition benefit by abolishing the confusing state cap program and replacing it with a simple promise. Under the current form of the New GI Bill, the tuition benefits are not only confusing, they are also completely unpredictable. In California, tuition caps have been raised three times this year alone. Worse, nationwide tuition caps have fluctuated wildly since last year. Recently, in front of the Senate Veterans' Affairs Committee, the VA admitted "delays in determining the 2009-2010 maximum tuition, and fee rates resulted in delayed processing of payments for students attending school in those states." The VA later said that reforming the tuition and fees benefit was its top priority fix for the New GI Bill. We need a GI Bill benefit that is easy to calculate and is easily understood by those whose use the benefit as well as those who distribute it.

Under the proposed New GI Bill 2.0, if a student veteran attends a public school, the New GI Bill will pay for the entire cost of tuition and fees -- no questions asked. If a student veteran attends a private school, the VA will pay a nationally-recognized, baseline amount. If a private school is more expensive than the national baseline, the school is encouraged to take part in the yellow ribbon program in order to eliminate the remaining gap in education costs.

IAVA member Lieutenant Colonel (LTC) Brian Pummill is in an extreme, remote location in Afghanistan. LTC Pummill should be focused solely on the mission at hand, but his thoughts are back at home as he tries to explain to his college-bound daughter how the New GI Bill's tuition benefit will work. Even after a long career successfully navigating military bureaucracy, LTC Pummill is thoroughly perplexed by the VA's confusing tuition and fee caps.

I don't understand how to calculate how much TUITION AND FEES the VA will pay Saint Mary's College... I see calculations that just compute this by \$321/credit hour, but this doesn't come close to the MAXIMUM FEES BY TERM of \$12,438.00 indicated for SMC. Since SMC's

TUITION AND FEES for 2010-2011 are the same for ALL FULL-TIME STUDENTS, REGARDLESS OF THE CREDIT HOURS THEY ARE TAKING, why wouldn't we take the Maximum fees by term (\$12,438), multiply that by 2 (\$24,876), then divide by 9 months (\$2,764/month), to calculate the per month value of the GI Bill at SMC, if that is the actual cost of Tuition and Fees to attend SMC. The same calculation by the credit hour, assuming you take 32 credit hours per year, is only \$321.75 times 32, which is only: \$10,296.00. How does a student qualify to be reimbursed at the MAXIMUM TUITION AND FEES PER TERM, instead of by the credit hour---at SMC, the difference between these two calculations is staggering.

S.3447 will simplify the benefit and help servicemembers like LTC Pummill get their mind back on the mission.

IAVA Technical Recommendations: Simplify the annual tuition reimbursement rate for private schools by setting a national baseline of \$20,000 per year. This baseline should be increased by an annual Cost Of Living Adjustment (COLA) on an annual basis. Creating this baseline will provide a fair and generous benefit for all students and will mean an increase in tuition reimbursements in 45 states. The proposed rate in S.3447 is frighteningly low and would slash benefits student veterans attending private schools in over 23 states.

E. Other Improvements to the New GI Bill

New GI Bill 2.0 is a much needed comprehensive upgrade, involving changes large and small. These changes are vital to the academic success of student veterans pursuing a higher education. S.3447 will also:

- Grant active duty students a book stipend worth \$1,000/year
- Increase Vocational Rehabilitation monthly benefits by up to \$780/month
- Reimburse students who take multiple accreditation/certification tests
- Allow enlistment kickers to be transferred to dependents
- Increase school reporting fees
- Simplify the types of discharges that qualify for benefits

IAVA Technical Recommendations: The distribution of monthly living allowances for part-time students should be modeled on the old GI Bill (full-time, $\frac{3}{4}$ time and $\frac{1}{2}$ time). This change simplifies the benefit and will greatly reduce the confusion caused by numerous under- and over-payments by the VA.

Veterans should not be charged entitlement for the reimbursement of licensing and certifications up to the first \$2,000 per veteran. Veterans should be reimbursed for an unlimited amount of licenses and certifications under the current \$2,000 cap. Veterans should only be charged against their entitlement after they have surpassed the \$2,000 amount. Furthermore, we do not agree with the section that requires the Department of Defense to pay for transferred benefits. This should be studied further, but this particular issue must not be used to arbitrarily keep us from fulfilling our promise to the men and women who fight our wars. Also, interval payments are vital to students who must complete professional internships, and the payments should not be carved out of the benefit. Finally, the school reporting fee must be increased to at least \$25 per

veteran. Often, a school certifying official is the face of this benefit to our student veterans, and we must ensure that these officials are reimbursed for doing the extra work sometimes needed.

II. S.1785: Require State Approving Agencies to approve nationally accredited courses of education

IAVA opposes S.1785. This legislation would render State Approving Agencies (SAAs) virtually powerless and leave the New GI Bill open to widespread abuse. SAAs are at the front line of GI Bill implementation. Since WWII, SAAs have played a critical role in educating school certifying officials on GI Bill procedures and protecting against fraudulent claims.

S.1785 would require SAAs to automatically approve nationally accredited schools for GI Bill purposes, but S.1785 fails to acknowledge that SAAs are not only responsible for reviewing curriculum at each approved school, they are also responsible for auditing the school's GI Bill books. When discrepancies are discovered, the SAA works with the school to ensure that the school certifying official is properly inputting all information and that all the books are reconciled. Withholding GI Bill approval is the only mechanism an SAA has to ensure compliance.

Under the New GI Bill, which requires schools to self-report tuition costs, the role of the SAA is critical. The SAA is the only VA entity that regularly verifies that self-reported numbers are accurate. Therefore, the SAA protects the VA from overpaying for tuition benefits. The SAAs account for only around 0.5 percent of the overall GI Bill budget, but they likely save the VA ten times that amount by preventing widespread overpayments and reducing administrative hours devoted to fixing improperly filed enrollment certifications.

S.1785 would tie the hands of SAAs. State Approving Agencies would no longer be able to withhold GI Bill approval from schools that have poor bookkeeping or have possibly committed fraud.

III. S.2769: Post-9/11 Veterans' Job Training Act of 2009

IAVA supports S.2769, the Post-9/11 Veterans' Job Training Act. This bill would provide valuable job training for vocational schools and On-the-Job-Training (OJT) and Apprenticeship programs. S.2769 simply shifts the OJT and Apprenticeship benefits currently under the old Montgomery GI Bill to the New GI Bill. This simple change will ensure that the New GI Bill fully covers all types of essential programs.

IAVA is concerned, however, about wording in S.2769 that may frustrate the bill's intended purpose of including vocational training programs in the New GI Bill. IAVA believes that § 2(B) of S.2769 should clarify that the New GI Bill will pay for approved programs under both 38 USC 3452(c) and 38 USC 3452(f). The current language of S.2369 only uses 3452(f), which is no different than how the Post-9/11 GI Bill is currently written.

IV: S.3082: Authorize work-study for outreach services provided through congressional offices

IAVA supports S.3082. This common sense legislation expands the VA work-study program that allows veterans to work in Congressional offices. IAVA believes that S.3082 will benefit veterans by granting them valuable experience in the federal government and will benefit Congressional offices by substantially increasing the number of veterans helping other veterans.

V: S.3171: The Veterans Training Act

IAVA strongly supports S. 3171, the Veterans Training Act. This legislation is properly worded to include vocational schools under the New GI Bill and we believe it should be the model for S. 3447 and S.2769.

VI: S.3389: The GI Bill Equitable Education Benefit (EEB) Act

IAVA opposes S.3389. The intention of this bill purports to fill an unintended bureaucratic pothole in the Post-9/11 GI Bill, but the actual language would cause much more confusion than it would fix.

According to Senator Hagan's press statement on the bill, "Under current law, servicemembers who receive educational assistance in the form of an ROTC scholarship or who graduate from one of the service academies are eligible for full educational benefits under the Post-9/11 GI Bill. However, members of the Selected Reserve who received educational assistance under Chapter 1606 of the Montgomery GI Bill prior to receiving a commission and serving on active duty are not now entitled to the same four years of benefits under the Post-9/11 GI Bill."

IAVA fully supports ensuring that all servicemembers have equal access to the generous New GI Bill. However, modifying the universal 48-month cap on education benefits for a small group of individuals would wreak havoc with GI Bill claims processors and would not actually solve the issue at hand.

IAVA could support S.3389 if it was modified to adjust where this issue arises, which is § 3322 of the Post-9/11 GI Bill.

VII: Conclusion

The Post-9/11 GI Bill, or "New GI Bill," will be remembered as one of the greatest investments in our country's veterans for generations to come if we act now and finish the work this committee began two years ago. History has shown us the importance of investing in our country's veterans, and IAVA applauds the phenomenal work this committee continues to do on behalf of our nation's veterans and their families.

IAVA is proud to speak on behalf of the thousands of veterans coming home every day. We work tirelessly so veterans know we have their back. Together, with this Congress and the Department of Veteran Affairs, we can guarantee that every veteran is confident that America has their back.

Thank you.